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Sustainable development: Convention on Biological Diversity

Report of the Second Committee*

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I. Introduction

1. The Second Committee held a substantive debate on agenda item 20 (see A/65/436, para. 2). Action on sub-item (f) was taken at the 28th and 33rd meetings, on 12 November and 1 December 2010. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/65/SR.28 and 33).

II. Consideration of draft resolutions A/C.2/65/L.39 and A/C.2/65/L.67

2. At the 28th meeting, on 12 November, the representative of Yemen, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Convention on Biological Diversity" (A/C.2/65/L.39), which read:

> "*The General Assembly*,
>
> "*Recalling* its resolutions 55/201 of 20 December 2000 and 64/203 of 21 December 2009 and all other previous resolutions relating to the Convention on Biological Diversity,
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> "*Recalling also* that in resolution 61/203 of 20 December 2006 the Assembly proclaimed 2010 as the International Year of Biodiversity,

* The report of the Committee on this item will be issued in 10 parts, under the symbol A/65/436 and Add.1-9.

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"*Reiterating* that the Convention is the key international instrument for the conservation and sustainable use of biological resources and the fair and equitable sharing of benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies,

"*Reaffirming* that States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction,

"*Noting* that one hundred and ninety-two States and one regional economic integration organization are parties to the Convention and that one hundred and fifty-nine States and one regional economic integration organization are parties to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,

"*Recognizing* that the achievement of the three objectives of the Convention is important for sustainable development, poverty eradication and improving well-being, and is a major factor underpinning the achievement of the internationally agreed development goals, including the Millennium Development Goals,

"*Recalling* the commitments of the World Summit on Sustainable Development to pursue a more balanced, efficient and coherent implementation of the three objectives of the Convention,

"*Recognizing* the continuing need for greater progress in the implementation of obligations and commitments under the Convention by States parties in order to achieve its objectives, and, in this regard, emphasizing the need to comprehensively address the obstacles that impede the full implementation of the Convention at the national, regional and global levels,

"*Conscious* of the intrinsic value of biological diversity and of the ecological, genetic, social, economic, scientific, educational, cultural, recreational and aesthetic values of biological diversity and its components,

"*Recalling* the high-level meeting of the General Assembly on biodiversity, held on 22 September 2010 as a contribution to the International Year of Biodiversity, which highlighted the importance of the implementation of the three objectives of the Convention,

"*Recalling also* the High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals and its document outcome,

"*Expressing deep appreciation* to the Government of Japan for hosting the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity and its fifth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, and welcoming the decision of the tenth meeting of the Conference of the Parties to endorse the offer of the Government of India to host the eleventh meeting of the Conference of the

Parties from 8 to 19 October 2012 and its sixth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety from 1 to 5 October 2012,

"1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity on the work of the Conference of the Parties to the Convention;

"2. *Recognizes* the important outcome of the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity and its fifth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, held in Nagoya, Japan, from 18 to 29 October 2010, which represents a significant contribution towards the comprehensive implementation of the three objectives of the Convention on Biological Diversity as an essential condition for the protection of life on Earth, human well-being and sustainable development;

"3. *Also recognizes* the adoption by the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, as well as its potential role in contributing to the conservation and sustainable use of biological diversity, poverty eradication, environmental sustainability and the achievement of the Millennium Development Goals;

"4. *Reaffirms* the importance of addressing in a balanced and comprehensive manner all the different values of biodiversity recognized in the Convention of Biological Diversity, taking into account their importance for sustainable development;

"5. *Commends* the Global Environment Facility for its support for the early entry into force of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization;

"6. *Welcomes* the adoption by the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity of the updated and revised Strategic Plan for the Period 2011-2020, which is aimed at promoting the effective implementation of the Convention on Biological Diversity through a strategic approach comprising a shared vision, a mission, strategic goals and targets to inspire broad-based action by all parties to the Convention and all stakeholders;

"7. *Takes note with appreciation* of the adoption by the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity of the Strategy for Resource Mobilization in Support of the Achievement of the Three Objectives of the Convention, and looks forward to the adoption by the eleventh meeting of the Conference of the Parties of financial targets and mechanisms in order to ensure the effectiveness of that strategy;

"8. *Takes note with appreciation* of the adoption by the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity of mechanisms to promote the effective participation of indigenous and local communities in the work of the Convention;

"9. *Welcomes* the significant progress made in developing a multi-year plan of action on biodiversity for development based on the framework for

South-South cooperation, and encourages parties to the Convention and Governments to further support its development and implementation;

"10. *Takes notes* of the work of the Ad Hoc Technical Expert Group on Biodiversity and Climate Change, and encourages parties to the Convention, other Governments, relevant organizations, processes and initiatives and the Executive Secretary of the Convention on Biological Diversity to take its findings into consideration, where appropriate, when carrying out work on biodiversity and climate change, including their relation to desertification and land degradation;

"11. *Decides*, following the invitation of the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity, to declare 2011-2020 the United Nations Decade of Biodiversity with a view to contributing to the implementation of the Strategic Plan on Biodiversity for the Period 2011-2020, and to designate the Executive Secretary of the Convention on Biological Diversity as the focal point for the coordination of the activities of the Decade, in consultation with Member States;

"12. *Welcomes* the adoption of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety, which provides rules and procedures on liability and redress for damage to biodiversity resulting from living modified organisms;

"13. *Notes* the revised administrative arrangements between the Secretariat of the Convention on Biological Diversity and the United Nations Environment Programme signed in Nagoya, Japan on 26 October 2010, and invites the Executive Director of the United Nations Environment Programme to extend to the Secretariat of the Convention on Biological Diversity services and facilities similar to those provided to the two other Rio Conventions by the United Nations, in particular on issues related to the delegation of programme support costs;

"14. *Invites* the countries that have not yet done so to ratify or accede to the Convention;

"15. *Invites* parties to the Convention that have not yet ratified or acceded to the Cartagena Protocol on Biosafety to consider doing so;

"16. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled 'Sustainable development', the sub-item entitled 'Convention on Biological Diversity'."

3. At its 33rd meeting, on 1 December, the Committee had before it a draft resolution entitled "Convention on Biological Diversity" (A/C.2/65/L.67), submitted by the Vice-Chair of the Committee, Csilla Würtz (Hungary), on the basis of informal consultations held on draft resolution A/C.2/65/L.39.

4. At the same meeting, upon the proposal of the Chair, the Committee agreed to waive the relevant provision of rule 120 of the rules of procedure of the General Assembly and proceed to take action on draft resolution A/C.2/65/L.67.

5. Also at the same meeting, the Committee was informed that draft resolution A/C.2/65/L.67 had no programme budget implications.

6. Also at the same meeting, the Vice-Chair made the following corrections to the draft resolution:

(a) In the tenth preambular paragraph, the word "States" was deleted before the word "parties";

(b) In operative paragraph 3, the words "to the Convention on Biological Diversity" were added after the words "Their Utilization".

7. At the same meeting, statements were made by the representatives of France and Colombia with regard to corrections to the French and Spanish texts, respectively, of the draft resolution (see A/C.2/65/SR.33).

8. Also at the 33rd meeting, the Committee adopted draft resolution A/C.2/65/L.67, as orally corrected (see para. 10).

9. In the light of the adoption of draft resolution A/C.2/65/L.67, draft resolution A/C.2/65/L.39 was withdrawn by its sponsors.

III. Recommendation of the Second Committee

10. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

Convention on Biological Diversity

The General Assembly,

Recalling its resolutions 55/201 of 20 December 2000, 64/203 of 21 December 2009 and all other previous resolutions relating to the Convention on Biological Diversity,[1]

Recalling also the outcomes of the United Nations Conference on Environment and Development, held in Rio de Janeiro in June 1992,[2]

Recalling further that in its resolution 61/203 of 20 December 2006 it proclaimed 2010 as the International Year of Biodiversity,

Reiterating that the Convention is the key international instrument for the conservation and sustainable use of biological resources and the fair and equitable sharing of benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding,

Recognizing the potential contribution of other multilateral environmental agreements, including the biodiversity-related conventions, and of international organizations in support of the three objectives of the Convention,

Reaffirming that States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction,

Noting that one hundred and ninety-two States and one regional economic integration organization are parties to the Convention and that one hundred and fifty-nine States and one regional economic integration organization are parties to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,[3]

Recognizing that the achievement of the three objectives of the Convention is crucial for sustainable development, poverty eradication and improving human well-being, and is a major factor underpinning the achievement of the internationally agreed development goals, including the Millennium Development Goals,

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[1] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[2] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annexes I and II.

[3] United Nations, *Treaty Series*, vol. 2226, No. 30619.

Recalling the commitments of the World Summit on Sustainable Development to pursue a balanced, efficient and coherent implementation of the three objectives of the Convention,

Recognizing the continuing need for greater progress in the implementation of obligations and commitments under the Convention by parties in order to achieve its objectives, and, in this regard, emphasizing the need to comprehensively address the challenges to the full implementation of the Convention at the national, regional and global levels,

Taking note of the high-level meeting of the General Assembly on biodiversity, held on 22 September 2010, as a contribution to the International Year of Biodiversity,

Recalling the 2010 High-level Plenary Meeting of the sixty-fifth session of the General Assembly on the Millennium Development Goals and its outcome,[4]

Expressing deep appreciation to the Government of Japan for hosting the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity and its fifth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, and welcoming the decision of the tenth meeting of the Conference of the Parties to endorse the offer of the Government of India to hold the eleventh meeting of the Conference of the Parties from 8 to 19 October 2012 and its sixth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety from 1 to 5 October 2012,

1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity on the work of the Conference of the Parties to the Convention;[5]

2. *Recognizes* the important outcomes of the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity, held in Nagoya, Japan, from 18 to 29 October 2010, and its fifth meeting serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety, held in Nagoya from 11 to 15 October 2010, which represent a significant contribution towards the comprehensive implementation of the three objectives of the Convention on Biological Diversity;

3. *Takes note* of the adoption by the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity, and acknowledges the potential role of access and benefit-sharing in contributing to the conservation and sustainable use of biological diversity, poverty eradication and environmental sustainability, thereby contributing to achieving the Millennium Development Goals;

4. *Notes with appreciation* the adoption by the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity of the updated and revised Strategic Plan for Biodiversity for the period 2011-2020 ("Aichi Targets");

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[4] Resolution 65/1.

[5] A/65/294, sect. III.

5. *Takes note* of the adoption by the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity of a decision on the Strategy for Resource Mobilization in Support of the Achievement of the Three Objectives of the Convention, and looks forward to the adoption, as mandated, of targets at its eleventh meeting in order to ensure the effectiveness of this strategy, provided that robust baselines have been identified and endorsed and that an effective reporting framework has been adopted, with a view to fully meeting the commitment to substantially increase resources, human, financial and technical, from all sources;

6. *Also takes note* of the adoption of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety, which provides international rules and procedures in the field of liability and redress for damage resulting from transboundary movement of living modified organisms;

7. *Further takes note* of the work of the Ad Hoc Technical Expert Group on Biodiversity and Climate Change, and encourages parties, Governments, relevant organizations and the Executive Secretary of the Convention on Biological Diversity to take its findings into consideration, where appropriate, when carrying out work on biodiversity and climate change;

8. *Takes note* of the adoption by the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity of the decision on mechanisms to promote the effective participation of indigenous and local communities in the work of the Convention;

9. *Encourages* the Global Environment Facility to continue supporting the implementation of the three objectives of the Convention, especially its work on assisting the early entry into force of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization;

10. *Welcomes* the significant progress made in developing a multi-year plan of action on biodiversity for development based on the framework for South-South cooperation, and encourages parties and Governments to further contribute to its development;

11. *Takes note* of the ongoing work of the Joint Liaison Group of the secretariats and offices of the Convention on Biological Diversity, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa[6] and the United Nations Framework Convention on Climate Change[7] (the "Rio Conventions") and the liaison group of the biodiversity-related conventions, acknowledges the importance of improving the coherence in implementation of the three Rio Conventions, recognizes the importance of enhancing synergies among the biodiversity-related conventions, without prejudice to their specific objectives, and encourages the conferences of the parties to the biodiversity-related multilateral environmental agreements to consider strengthening efforts in this regard, taking into account relevant experiences and bearing in mind the respective independent legal status and mandates of these instruments;

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[6] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[7] Ibid., vol. 1771, No. 30822.

12. *Reaffirms* the intrinsic value of biological diversity as well as the ecological, genetic, social, economic, scientific, educational, cultural, recreational and aesthetic values of biological diversity and its components, taking into account their importance for sustainable development;

13. *Notes* the consideration of aspects related to the economic valuation of ecosystems and biodiversity in the context of the work of the Convention on Biological Diversity, including *The Economics of Ecosystems and Biodiversity* reports, as referred to in relevant decisions adopted by the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity;

14. *Also notes* the decision adopted by the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity on the administration of the convention and budget for the programme of work for the biennium 2011-2012, which included the revised administrative arrangements between the secretariat of the Convention and the United Nations Environment Programme, and through which the Conference of the Parties looked forward to the rapid completion of the service-level agreement provided for in those arrangements, requested the Executive Secretary of the Convention to report to the Conference of the Parties through its bureau on the implementation of those arrangements and invited the Executive Director of the United Nations Environment Programme to report on those arrangements to the Governing Council of the United Nations Environment Programme at its twenty-sixth session;

15. *Invites* the countries that have not yet done so to ratify or accede to the Convention;

16. *Invites* parties to the Convention that have not yet ratified or acceded to the Cartagena Protocol on Biosafety to consider doing so;

17. *Also invites* parties to the Convention to sign, ratify or accede to the Nagoya Protocol at the earliest opportunity;

18. *Invites* parties to the Cartagena Protocol to sign, ratify or accede to the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety at the earliest opportunity;

19. *Decides*, following the invitation of the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity, to declare 2011-2020 the United Nations Decade on Biodiversity, with a view to contributing to the implementation of the Strategic Plan for Biodiversity for the period 2011-2020, and requests the Secretary-General, in this regard, in consultation with Member States, to lead the coordination of the activities of the Decade on behalf of the United Nations system, with the support of the secretariat of the Convention on Biological Diversity and the secretariats of other biodiversity-related conventions and relevant United Nations funds, programmes and agencies, and invites Member States in a position to do so to contribute, on a voluntary basis, to the funding of the activities of the Decade;

20. *Invites* the secretariat of the Convention to report, through the Secretary-General, to the General Assembly at its sixty-sixth session on the work of the Conference of the Parties;

21. *Decides* to include in the provisional agenda of its sixty-sixth session, under the item entitled "Sustainable development", the sub-item entitled "Convention on Biological Diversity".